

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

SURGALIGN HOLDINGS, INC., *et al.*,¹

Debtors.

)
) Chapter 11
)
) Case No. 23-90731 (CML)
)
) (Jointly Administered)
) **Re: Docket No. 199**

**DEBTORS' WITNESS AND EXHIBIT LIST FOR HEARING
SCHEDULED FOR JULY 12, 2023 AT 2:00 P.M. (PREVAILING CENTRAL TIME)**

The above-captioned debtors and debtors in possession (collectively, the “*Debtors*”) file their Witness and Exhibit List for the hearing to be held on **July 12, 2023 at 2:00 p.m. (prevailing Central Time)** (the “*Hearing*”) as follows:

WITNESSES

The Debtors may call the following witnesses at the Hearing:

1. Paul Rundell, Managing Director of Alvarez & Marsal North America, LLC;
2. Any witness listed or called by any other party;
3. Rebuttal witnesses as necessary; and
4. The Debtors reserve the right to cross-examine any witness called by any other party.

¹ The debtors in these chapter 11 cases, along with the last four digits of each debtor's federal tax identification number (if any), are: Surgalign Holdings, Inc. (0607); Surgalign Spine Technologies, Inc. (6543); Pioneer Surgical Technology NewCo Inc.; Spinal Transition and Professional Services LLC; Andi's Belmarall, LLC; Fourth Dimension Spine, LLC (1107); Holo Surgical Inc. (4079); and HoloSurgical Technology Inc. (0952). The location of the debtors' service address in these chapter 11 cases is: 520 Lake Cook Road, Suite 315, Deerfield, Illinois 60015.

EXHIBITS

EXHIBIT	DESCRIPTION	MARK	OFFER	OBJECT	ADMIT	W/D	DISPOSITION AFTER HEARING
1.	LifeNet Health v. Surgalign Spine Technologies, Inc., 1:18-cv-00146-AW-MJF (N.D. Florida—Gainesville 2018) (the “Florida Lawsuit”); Docket No. 1; Complaint against RTI Surgical, Inc. with Jury Demand.						
2.	Florida Lawsuit Docket No. 82; RTI Surgical’s Motion Under Fed. R. Civ. P. 16(b)(4) and 16(c)(2)(L) For a Stay Pending Inter Parted Review of LifeNet’s Asserted Patent Claims and Memorandum in Support.						
3.	Florida Lawsuit Docket No. 93; Order Granting Defendant’s Motion for Stay Pending IPR.						
4.	Florida Lawsuit Docket No. 111; Order Granting Motion to Amend Case Caption (renaming Defendant from RTI Surgical, Inc. to Surgalign Spine Technologies, Inc.)						
5.	Florida Lawsuit Docket No. 127; Surgalign’s Answer to Original Complaint.						
6.	Florida Lawsuit Docket No. 149; Suggestion of Bankruptcy.						
7.	Florida Lawsuit Docket No. 150; Order Recognizing Automatic Stay.						
8.	LifeNet Health v. Surgalign Spine Technologies, Inc., 23-1394 (Fed. Cir.) (the “Federal Circuit Appeal”) Docket No. 1; Patent Owner’s Notice of Appeal (and Notice of Docketing).						

EXHIBIT	DESCRIPTION	MARK	OFFER	OBJECT	ADMIT	W/D	DISPOSITION AFTER HEARING
9.	Federal Circuit Appeal Docket No. 11; Brief of Appellant LifeNet Health.						
10.	Federal Circuit Appeal Docket No. 12; Surgalign's Partially Opposed Motion for an Extension of Time for Filing Appellee's Brief.						
11.	Federal Circuit Appeal Docket No. 13; Order Granting Extension for Appellee to File Response Brief (Due July 19, 2023).						
12.	Federal Circuit Appeal Docket No. 14; Appellee Surgalign Spine Technologies, Inc.'s Suggestion of Bankruptcy and Notice of Operation of the Automatic Stay.						
13.	Declaration of Paul Rundell, Managing Director of Alvarez & Marsal North America, LLC in Support of Debtors' Chapter 11 Petition and Requests for First Day Relief [Docket No. 23]						
	Any document or pleading filed in the above-captioned main cases						
	Any exhibit necessary for impeachment and/or rebuttal purposes						
	Any exhibit identified or offered by any other party						

RESERVATION OF RIGHTS

The Debtors reserve the right to call or to introduce one or more, or none, of the witnesses and exhibits listed above, and further reserve the right to supplement this list prior to the Hearing.

Houston, Texas
July 14, 2023

/s/ Veronica A. Polnick

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*Proposed Co-Counsel to the Debtors and
Debtors in Possession*

Certificate of Service

I certify that, on July 14, 2023, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Veronica A. Polnick

Veronica A. Polnick